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MD

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/253,174	02/19/99	TAYEBI	A

AMAD TAYEBI
5 SEQUOIA ROAD
WESTFORD MA 01886

IM62/0306

EXAMINER

AHMAD, N

ART UNIT	PAPER NUMBER
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1772

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DATE MAILED: 03/06/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/253,174

Applicant(s)
Tayebi

Examiner
Nasser Ahmad

Group Art Unit
1772



☒ Responsive to communication(s) filed on Dec 7, 1999

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 13-15 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 13-15 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

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1. Claims 13 and 15 are rejected under 35 USC 102(b) as being anticipated by Haugwitz for reasons of record in paper no. 3, paragraph 3, mailed September 8, 1999.
2. Claim 14 is rejected under 35 USC 102(b) as being anticipated by Holmberg for reasons of record in paper no. 3, paragraph -5.
3. Applicant's arguments filed December 7, 1999 have been fully considered but they are not persuasive. Applicant argues that Haugwitz fails to teach the use of an adhesive coating being of a temporary adhesion nature and that instant claims do not require protecting means for the adhesive. These are not deemed to be convincing because Haugwitz's limited or sparing use of the permanently bonding adhesive provides for the removability or peelability of the sheet from an applied substrate. Contrary to applicant's position, the adhesive of Haugivitz meets the requirement of "a temporary adhesion nature" as claimed in the instant invention. As for the provision of protecting means, applicants' claims do not exclude the presence of said protecting means. As for the instant invention claims "said application suffers no damage", it should be noted that applicant has failed to provide any evidence that Haugwitz will not meet said limitation. Applicant also argues that Holmberg '481 fails to teach a weakened tear line and that the first area being adjacent to an edge of the sticker. These are not found to be persuasive because the presence of the recess 12 provides for the weakened tear line area and cut line 24 of Holmberg also meets the pre-slit cut lines which is one of the weakened tear line as recited in the instant claims. As for the location of the first area, Holmberg's adhesive area meets the definition of "adjacent" to an edge as said first area is located near an edge.

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Thus, in the absence of any evidence to the contrary, it remains the examiner's position that the claimed invention is anticipated over the prior art of record discussed above.

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nasser Ahmad whose telephone number is (703) 308-4424. The examiner can normally be reached on Monday-Thursday from 8:30 am to 6:00 pm. The examiner can also be reached on alternate Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ellis Robinson, can be reached on (703) 308-2364. The fax phone number for the organization where this application or proceeding is assigned is (703) 305-3599.

Application/Control Number: 09/253,174

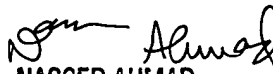
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0661.

Robinson/mm

March 3, 2000


NASSER AHMAD
PRIMARY EXAMINER
~~GROUP 1300~~
TC-1700